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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Jonathon M. Arther,

Plaintiff

vs.

Corizon Health, Inc., a private entity; Dr.
Heller, an individual; Eye Doctors of
Arizona, PLLC; Former Arizona
Department of Corrections Director Charles
Ryan, Acting Arizona Department of
Corrections Director David Shinn; Arizona
Department of Corrections Officers John
(or Jane) Does 1, 2, 4, 5, 7, 8, and 10;
Arizona Department of Corrections IFF
Liaison John (or Jane) Doe 9; Arizona
Department of Corrections Officer John
Doe – Ferman; Arizona Department of
Corrections Officer John Doe – Stevens;
Nurse and Health Provider John (or Jane)
Doe 3; Nurse and Health Provider John (or
Jane) Doe 5.

Defendants.

Case No.: CV20-00189-PHX-JAT

PLAINTIFF’S RESPONSE REGARDING
AUTOMATIC STAY

COMES NOW, Plaintiff, Jonathon M. Arther, by and through counsel
undersigned and hereby respectfully submits this response to the Court Order dated

1 March 2, 2023, regarding the Notice of Automatic Stay filed by counsel for Defendant,
2 Corizon Health, Inc., on February 14, 2023.
3

4 Corizon Health, Inc.'s Suggestion of Bankruptcy and Notice of Automatic Stay
5 filed on February 14, 2023, states that Tehum Care Services, Inc. d/b/a Corizon Health,
6 Inc. filed a voluntary petition pursuant to Chapter 11 of title 11 of the United States
7 Bankruptcy Code. Plaintiff will be filing a Motion for Relief in the bankruptcy case,
8 asking the Court to lift the automatic stay and allow this case to proceed against Corizon.
9
10

11 Plaintiff requests that this Court find that the automatic stay applies only to the
12 debtor, Defendant Corizon Health, Inc., that Plaintiff's 1983 claim may proceed against
13 all remaining Defendants; specifically including, Christopher Johnson, DO, Cindy
14 Walton-Sparks, Kimberly Brinton, and Claudine Kabongo, as they have been named in
15 their individual capacities and the Bankruptcy court has not issued an order extending the
16 stay to Co-Defendants.
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20 **RESPECTFULLY SUBMITTED** this 10th day of March, 2023.

21
22 /s/Angel A. Raymond
23 Angel A. Raymond
24 Attorney for Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that on this 10th day March, 2023, I electronically transmitted the foregoing with the Clerk of the Court using the CM/ECF system for filing, and copies were E-mailed to all counsel of record at the following addresses:

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Attorneys for Defendant Corizon Health, Inc. Christopher Johnson, DO, Cindy Walton-Sparks, Kimberly Brinton, and Claudine Kabongo

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By: /s/ Angel A. Raymond